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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,169	01/30/2002	Niklas Bondestam	ASMMC.034AUS	2704
20995	7590	01/04/2005	EXAMINER	
KNOBBE MARTENS OLSON & BEAR LLP			SODERQUIST, ARLEN	
2040 MAIN STREET			ART UNIT	
FOURTEENTH FLOOR			PAPER NUMBER	
IRVINE, CA 92614			1743	

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/066,169	BONDESTAM ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Arlen Soderquist	1743	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Chowdhury. In the paper Chowdhury teaches real-time process sensing and metrology in amorphous and selective area silicon plasma enhanced chemical vapor deposition using in-situ mass spectrometry. The authors have used mass spectroscopy to observe and analyze, in real-time, gas phase reactants and product species in plasma-enhanced CVD deposition (PECVD) of silicon. They describe a doubly differentially pumped mass spectrometry system to sample the exhaust stream of a large-area plasma CVD reactor operating at 0.4-1.5 torr. They show real-time quantitative analysis of silane consumption and hydrogen production for deposition of hydrogenated amorphous silicon and for pulsed-gas selective area silicon deposition (see figures 8-9 and their associated discussion). The ability of mass spectrometry to observe process faults in real time is also demonstrated (see figure 7 for example). Mass spectroscopy is a useful nonintrusive process-state sensor for real-time metrology of plasma deposition, for example, to quantify gas phase species, and to characterize reactions occurring on the substrate surface. Based on their results, the authors discuss potential advanced manufacturing applications of real-time mass spectrometry in amorphous silicon and selective area silicon plasma deposition, including indirect wafer-state sensing, fault analysis and classification, and run-to-run and real-time process control (see the discussion and conclusions section on pages 131-132). This section in particular teaches that the ability to analyze and detect problems in real-time could assist in the use of pulsed gas selective deposition techniques on a large scale in manufacturing processes.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. Claims 1-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Min in view of Chowdhury as explained above and Schmitt (US 6,038,919). In the paper Min teaches atomic layer deposition of TiN films by alternate supply of tetrakis(ethylmethylamino)titanium and ammonia. Atomic layer deposition (ALD) of amorphous TiN films on SiO<sub>2</sub> between 170° and 210° was studied by alternate supply of reactant sources, Ti[N(C<sub>2</sub>H<sub>5</sub>CH<sub>3</sub>)<sub>2</sub>]<sub>4</sub> [tetrakis(ethylmethylamino)titanium: TEMAT] and NH<sub>3</sub>. Reactant sources were injected into the reactor in the following order: TEMAT vapor pulse, Ar gas pulse, NH<sub>3</sub> gas pulse and Ar gas pulse. Film thickness per cycle was saturated at ~1.6 monolayers (ML) per cycle with sufficient pulse times of reactant sources at 200°. Probably film thickness per cycle could exceed 1 ML/cycle in ALD, and are explained by chemisorption mechanism of the reactant sources. An ideal linear relation between the number of cycles and film thickness was confirmed. As a result of surface limited reactions of ALD, step coverage was excellent. Particles caused by the gas phase reactions between TEMAT and NH<sub>3</sub> were almost absent because TEMAT was segregated from NH<sub>3</sub> by the Ar pulse. In spite of relatively low substrate temperature, C impurity was incorporated <4 atom%. Figure 1 shows the apparatus including the solid TEMAT source and the computer-controlled valves. Min does not teach sensors to monitor the reactant pulses.

In the patent Schmitt teaches a method and system for determining the quantity of processing substance in a storage space for a process and apparatus that delivers a processing substance from a storage vessel to a processing station, the storage vessel enclosing the processing substance in a storage space and being coupled to conduits which communicate with the storage space. The storage vessel and the conduits enclose a volume including the storage space. In the method and system the quantity of processing substance in the storage space is determined by closing the volume enclosed by the storage vessel and the conduits; performing

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first and second pressure measurements for measuring the gas pressure in the volume when the volume contains respectively first and second quantities of gas; determining the difference between the first and second quantities of gas; and calculating the quantity of processing substance in the storage space on the basis of the volume, the difference between the first and second quantities of gas and the gas pressures measured during the first and second pressure measurements.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a sensor as taught by Chowdhury or Schmitt into the device and method of Min because of the ability to monitor the process in real time and thereby adjust for problems in the operation of the device as taught by Chowdhury and the use of sensor to measure reactant pressure in a system as taught by Schmitt.

5. Applicant's arguments filed November 5, 2004 have been fully considered but they are not persuasive. Basically all of the arguments boil down to an argument that the references do not teach the sensor connected to the conduit system between the source and the reaction chamber based on applicant's use of the phrase in communication with the conduit system. This is not commensurate in scope with the claims on its face because of minimally the embodiment shown in figure 2. Since this is clearly stated as an embodiment of the invention (paragraph bridging pages 7-8 of the instant specification) it shows the scope that applicant considers to be covered by the claims and the use of the "in communication with" language therein. Examiner further states that even in the absence of the structure shown in figure 2 "in communication with" the conduit system fails to specify any structure other than there is structure that connects the conduit system with the sensor. Thus applicant needs to clearly define the structural connection in the claim before arguing that a general connection based on the use of "in communication with" define any specific structure that would define over a reference or combination of references that clearly do show communication between the conduit system from the source to the reaction chamber and a sensor.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arlen Soderquist whose current telephone number is (571) 272-1265 as a result of the examiner moving to the new USPTO location. The examiner's schedule is variable between the hours of about 5:30 AM to about 5:00 PM on Monday through Thursday and alternate Fridays.

A general phone number for the organization to which this application is assigned is (571) 272-1700. The fax phone number to file official papers for this application or proceeding is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



December 29, 2004

ARLEN SODERQUIST  
PRIMARY EXAMINER